

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANGEL PETERSON #240544,

Plaintiff,

Civil Action No.: 14-13000

Honorable Thomas L. Ludington

v.

Magistrate Judge Elizabeth A. Stafford

ROCKY BURRIS, *et al.*,

Defendants.

/

ORDER DENYING MOTION TO AMEND COMPLAINT [R. 15]

Plaintiff Angel Peterson filed her complaint on July 31, 2014, and a motion to amend her complaint on November 17, 2014. [R.[1](#); R. [15](#); R. [16](#)]. Since Defendants had not yet filed a pleading responsive to her initial complaint, Peterson's motion to amend would ordinarily be granted as a matter of course pursuant to Federal Rule of Civil Procedure 15(a)(1)(B). However, the Court will deny the motion to amend, for two reasons.

First, Peterson's purported amended complaint is a partial document. [R. [16](#)]. Her filing is deficient because Eastern District of Michigan Local Rule 15.1 states, "Any amendment to a pleading, whether filed as a matter of course or upon a motion to amend, must, except by leave of court, reproduce the entire pleading as amended, and may not incorporate any prior pleading by reference."

Secondly, and most critically, the only substantive change Peterson proffered in her motion for filing an amended complaint was to clarify that she was suing Michigan State Industries (“MSI”) and Millicent Warren in both their personal and official capacities. [R. 15, PgID 71]. However, the amended complaint that she filed does not indicate the capacity in which she is suing MSI, and shows that she is suing Warren only in her official capacity. [R. 16, PgID 76]. This is no different than her original complaint. [R. 1, PgID 22].

Since the abbreviated amended complaint does not include any substantive changes to the Peterson’s initial complaint, the Court **DENIES** the motion to amend. [R. 15].

IT IS SO ORDERED.

Dated: May 21, 2015
Detroit, Michigan

s/Elizabeth A. Stafford
ELIZABETH A. STAFFORD
United States Magistrate Judge

NOTICE TO THE PARTIES REGARDING OBJECTIONS

The parties’ attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections for consideration by the district judge under 28 U.S. C. §636(b)(1).

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 21, 2015.

s/Marlena Williams
MARLENA WILLIAMS
Case Manager